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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 IN RE: CATHODE RAY TUBE (CRT)
14 ANTITRUST LITIGATION

15 This Document Relates to:

16 *All Indirect Purchaser Actions*

17 *Electrograph Systems, Inc., et al. v. Hitachi,*
18 *Ltd., et al., No. 3:11-cv-01656-SC;*

19 *Alfred H. Siegel as Trustee of the Circuit City*
20 *Stores, Inc. Liquidating Trust v. Hitachi, Ltd., et*
21 *al., No. 3:11-cv-05502-SC;*

22 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,*
23 *No. 3:11-cv-05513-SC;*

24 *Target Corp, et al. v. Chunghwa Picture Tubes,*
25 *Ltd., et al., No. 3:11-cv-05514-SC;*

26 *Sears, Roebuck and Co. and Kmart Corp. v.*
27 *Chunghwa Picture Tubes, Ltd., No. 3:11-cv-*
28 *05514-SC*

Case No. Master File No. 3:07-cv-05944-SC

MDL NO. 1917

**[PROPOSED] ORDER GRANTING
HITACHI PARTIES' MOTION FOR
SUMMARY JUDGMENT BASED UPON
THE LACK OF EVIDENCE OF
PARTICIPATION IN THE ALLEGED
CONSPIRACY**

[PROPOSED] ORDER GRANTING HITACHI'S MOTION
FOR SUMMARY JUDGMENT BASED UPON THE LACK
OF EVIDENCE OF PARTICIPATION IN THE ALLEGED
CONSPIRACY

CASE No.: 3:07-cv-05944-SC
MDL No.: 1917

1 *Interbond Corporation of America, d/b/a*
2 *BrandsMart USA v. Hitachi, et al.,*
3 *No. 3:11-cv-06275-SC;*

4 *Office Depot, Inc. v. Hitachi, Ltd., et al.,*
5 *No. 3:11-cv-06276-SC;*

6 *CompuCom Systems, Inc. v. Hitachi, Ltd.,*
7 *et al., No. 3:11-cv-06396-SC;*

8 *Costco Wholesale Corporation v. Hitachi,*
9 *Ltd., et al., No. 3:11-cv-06397-SC;*

10 *P.C. Richard & Son Long Island Corporation, et*
11 *al. v. Hitachi, Ltd., et al., No. 3:12-cv-02648-SC;*

12 *Schultze Agency Services, LLC on behalf of*
13 *Tweeter OPCO, LLC and Tweeter Newco, LLC v.*
14 *Hitachi, Ltd., et al., No. 3:12-cv-02649-SC;*

15 *Tech Data Corporation, et al. v. Hitachi,*
16 *Ltd., et al., No. 3:13-cv-00157-SC*

1 After full consideration of the evidence, briefs and authorities, and oral argument of counsel,
2 the Court finds that there is no triable issue of material fact as to the causes of action asserted in the
3 operative complaints of the Indirect Purchaser Plaintiffs and each of the Direct Action Plaintiffs in
4 the above-captioned cases as to Hitachi America, Ltd. ("HAL"), Hitachi Displays, Ltd. ("HDP"),
5 and Hitachi Electronic Devices (USA), Inc. ("HED(US)") (collectively, the "Hitachi Parties"). The
6 Hitachi Parties are therefore entitled to judgment as a matter of law.

7 IT IS HEREBY ORDERED that the Hitachi Parties' Motion for Summary Judgment Based
8 Upon the Lack of Evidence of Participation in the Alleged Conspiracy is GRANTED:

9 1) All claims of the Indirect Purchaser Plaintiffs and each of the Direct Action Plaintiffs
10 in the above-captioned cases against the Hitachi Parties are dismissed.

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13 IT IS SO ORDERED.

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15 Dated: _____

16 Hon. Samuel Conti
17 United States District Judge
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